

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

PLEASE TAKE NOTICE that, upon the accompanying Combined Memorandum of Points and Authorities in Support of Motions to Dismiss and Declarations of Shireen A. Barday, Jeannie Farren, and David So, the undersigned will move before the Honorable Nicholas G. Garaufis, Judge of the United States District Court for the Eastern District of New York, at the United States District Courthouse, located at 225 Cadman Plaza East, Brooklyn, NY 11201, at a time and place to be scheduled by this Court, for an order to dismiss the complaint pursuant to Federal Rule of Civil Procedure 12(b)(1), (2), and (6).

Dated: November 8, 2016

Craig S. Primis, P.C.
K. Winn Allen
Jennifer M. Bandy
KIRKLAND & ELLIS LLP
655 Fifteenth Street, N.W.
Washington, D.C. 20005
Telephone: (202) 879-5000
Facsimile: (202) 879-5200
craig.primis@kirkland.com

Respectfully submitted,

Shireen A. Barday
Aulden Burcher-DuPont
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900
shireen.barday@kirkland.com

Attorneys for Defendant